

CONDOMINIUM REVIEW COMMITTEE
Real Estate Commission
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor as required by Section 92-7(b), Hawaii Revised Statutes.

Date: November 15, 2000

Time: 11:00 a.m.

Place: Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Present: Mitchell Imanaka, Chair
Peter Rice, Vice Chair
Charles Aki, Member
Michael Ching, Member
John Ohama, Member
Iris Okawa, Member
Casey Choi, Member

Calvin Kimura, Supervising Executive Officer
Cynthia Yee, Senior Condominium Specialist
Gina Watumull, Condominium Specialist
Lorene Arata, Condominium Specialist
Russell Wong, Real Estate Specialist
June Kamioka, Program Specialist
Shari Wong, Deputy Attorney General
Tammy Norton, Recording Secretary

Excused: Alfredo Evangelista, Member
Patricia Choi, Member

Call to Order: Chair Imanaka called the meeting to order at 11:00 a.m., at which time quorum was established.

Chair's Report: No report was presented.

Condominium Specialist's Report: **Additional Distribution**
The following materials were distributed prior to the start of the meeting:

5.b. CPR Workshops and Meetings

Minutes: Upon a motion by Commissioner Okawa, seconded by Commissioner Ohama, it was voted on and unanimously carried to accept the minutes of the October 11, 2000 Condominium Review Committee meeting as circulated.

Condominium
Governance and
Management:

AOAO / CMA / CHO Registrations

Specialist Watumull reported that as of October 31, 2000, 1419 AOAO registration applications have been received. Of the 1419 AOAOs, 1402 have successfully registered. Specialist Watumull further reported that 108 CMAs and 119 CHOs are also currently registered.

AOAO Ratification

Upon a motion by Commissioner Aki, seconded by Commissioner Ohama, it was voted on and unanimously carried to recommend approval to ratify effective dates for AOAO registrations for the 1999-2001 registrations through October 31, 2000 as follows:

Project Name	Registration Date
The Isles at Diamond Head Beach	10/02/2000
Ka'ulu Villas	10/25/2000
Kon Tiki'ano Hou	10/23/2000
Kunia Palms	10/24/2000
One Napili Way	10/13/2000
Royal Aloha	10/02/2000

Mediation and Arbitration

Mediation Services of Maui, Inc. (MSM) and Mediation Center of the Pacific, Inc. (MCP) submitted their first quarter reports. MSM reports that 1 case was opened, while MCP reports that 8 cases were opened during the first quarter, July 1, 2000 to September 30, 2000.

Education Calendar - Updated calendar of condominium events circulated for information. This information is also provided on the Commission's webpage.

Chair Imanaka reported that CAI Hawaii's November 11, 2000 Maui seminar, Almost Free Legal Advice, was cancelled due to low enrollment.

Condominium Seminars

Chair Imanaka reported that the Community Association Institute would be holding its 22nd Annual Community Association Law Seminar, February 16-17, 2001 in Las Vegas Nevada and its 50 National Conference, May 3-5, 2001 in Tucson, Arizona.

CEF Subsidized Seminars – Favorable evaluations for the following CEF subsidized seminars have been received by the Commission: “Resolving Condominium Conflicts: Does Mediation Really Work?” – MCP; “Covenant Enforcement Case Law Update!” – CAI Hawaii; and “Psychos, Pot Pushers, Prostitutes & Parking – Solving the ‘P’ Problem in Community Associations” – CAI Hawaii.

Case Law Review Program

The following case law review articles were distributed for informational purposes: "State by State," Common Ground, November/December 2000 issue, "Fact Finder Must Determine Discriminatory Intent and Reasonableness of Accommodation under Fair Housing Act," Community Association Lawreporter, October 2000 issue.

Condominium Related Articles

The following articles from the November/December 2000 issue of Common Ground were distributed for informational purposes: "all's fair," "the Best and Brightest," 99-00 CAI Annual Report" (excerpts), and "Washington Update."

Condominium
Project
Registration:

Condominium Project Registration - Public Reports Issued

Upon a motion by Commissioner Rice, seconded by Commissioner Ching, it was voted on and unanimously carried to recommend approval to ratify issuance of effective dates for public reports for the month of October 2000 as follows:

Proj No	Project Name	Project Address	TMK #	Report	Date
4490	2955 KALOALUIKI & 2955 KALOALUIKI NO. A	2955 & 2955A KALOALUIKI ST HONOLULU HI 96822	(1)2-09-049:005	Final	10/11/00
4481	381 KAIMA CONDOMINIUM	381 KAIMA PL WAILUA HI 96746	(4)4-02-010:029	Final	10/02/00
4462	55-555 KAMEHAMEHA HIGHWAY	55-555 KAMEHAMEHA HWY LAIE HI 96762	(1)5-05-003:200	Final	10/02/00
4482	59-076 PUULA ROAD	59-076 PUULA RD HALEIWA HI 96712	(1)5-09-010:002	Final	10/25/00
4471	ANGELO CONDOMINIUM PRO	LOT B OF LOT 14 KALOPA HM HAMAKUA HI	(3)4-04-003:061	Final	10/20/00
4508	APOLLO/PEREZ	LOT 11 KAAUHUHU HMSTDS N KOHALA HI	(3)5-05-012:003	Final	10/20/00
4459	COCO FARMS	LOT 2 OF LOT 5-A-2-B-1 S KONA HI	(3)8-02-003:036	Final	10/20/00
4438	DESTINY AT MILILANI-PHASE II	KUAOA ST MILILANI HI 96789	(1)9-05-002:001	Final	10/03/00
4472	EASY STREET	2852/2854 EASY ST HONOLULU HI 96817	(1)2-02-035:005	Final	10/18/00
1223	EXECUTIVE CENTRE	1088 BISHOP ST HONOLULU HI 96813	(1)2-01-021:004	Suppl 4	10/27/00
4499	HALEKOU ESTATES CONDO	45-677 HALEKOU RD Kaneohe HI 96744	(1)4-05-097:008	Final	10/30/00
2897	HARBOR COURT	66 QUEEN ST HONOLULU HI 96813	(1)2-1-02:16	Suppl 8	10/19/00
4470	KALAOA MOUNTAIN HALE	73-1081 AHIKAWA ST KAILUA-KONA HI 96740	(3)7-03-023:037	Final	10/05/00

4493	KOOLAU CORNER	LOT 19 WAIPAKE SUBDIV	(4)5-01-006:033	Final	10/16/00
		HANALEI HI			
4501	MAKANA ESTATES CONDO	6435 MAKANA RD	(4)4-02-022:035	Final	10/30/00
		WAILUA HI 96746			
4463	NANI PUU PANE CONDOMINIUM	LOT 14 PUU PANE SUBDIV	(4)5-01-005:052	Final	10/11/00
		HANALEI HI			
4498	NORTHPOINTE AT MILILANI PH II	95-1025 KAAPEHA ST	(1)9-05-049:049	Prelim	10/10/00
		MILILANI HI 96782			
4486	PALI ULI CONDOMINIUM	DOOR OF FAITH RD	(2)2-09-007:057	Final	10/03/00
		HAIKU HI 96708			
4306	TERRACES MANELE BAY PH IV	POLIHUA PLACE	(2)4-09-022:013	Final	10/10/00
		LANAI HI 96763			
4480	TERRAZZA PHASE 3	91-162 MAKALE'A CIRCLE	(1)9-01-010:048	Final	10/24/00
		EWA BEACH HI 96706			
4274	THE VINTAGE AT KAA NAPALI	KUALAPA LOOP	(2)4-04-006:055	Final	10/12/00
		KAA NAPALI HI 96761			
4504	WAHI KALAE	LOT 10 PUU NANI SUBDIV	(3)6-04-025:030	Final	10/20/00
		WAIMEA HI			
4376	WOODCREEK	WIKAO ST	(1)9-05-002:036	Final	10/20/00
Preliminary Reports:		1			
Contingent Final Reports:		0			
Final Reports:		20			
Supplementary Reports:		2			
Total:		23			

CPR Workshops and Meetings

Chair Imanaka reported that a condominium consultant's meeting was held on October 3, 2000 with all condominium consultants in attendance. A written report summarizing the meeting has been distributed. The report includes consultant suggestions for improving the review process and additional disclosures. The consultant's timeframe for reviewing a proposed condominium project registration and subsequent recommendation has been excellent. The consultant's have been prompt in returning files to the appropriate parties.

Upon a motion by Commissioner Ching, seconded by Commissioner Rice, it was voted on and unanimously carried to recommend approval to accept the recommendations from the October 3, 2000 Condominium Consultant's Workshop dated October 9, 2000 subject to the following bracketed and underlined changes (brackets indicate deletions and underlines indicate new material):

- “4. Developers shall be required to deliver a copy of the condominium map to the Real Estate Commission. The condominium map includes floor plans, and elevations of the buildings, and may also include a site plan[ned]. Whatever information is set forth in a condominium map shall be consistent with the declaration.
11. The official condominium project registration record retained by REC [shall] may be limited to the following:

- a. Documents and information as required by chapter 514A, HRS, the rules relating thereto, and as prescribed by the REC.
- b. The [final draft version of the] original and one copy of the original of the developer's public report (preliminary, contingent, final, supplementary) for which the Commission issued an effective date [Developer's public report (preliminary, contingent, final, supplementary)].
- c. Any other supporting documents and information as requested by the REC or as recommended by a condominium consultant and adopted by the REC."

Program of Work: **Recodification of Chapter 514A**

Chair Imanaka reported that the Commission has received approval to recruit and accept applications for the condominium recodification attorney position. Recruitment notices were sent out and interviews have begun. Selection will be made once the interviews have concluded. Chair Imanaka anticipates having someone on board in mid December.

Condominium
Organizations Forum:

Mr. Norman DuPont representing HCAAO was present but had no comments.

There were no comments, recommendations or concerns received from the following: Community Associations Institute Hawaii Chapter, Alakahi Foundation, Hawaii Independent Condominium and Cooperative Owners, Hawaii State Bar Association/Real Property & Financial Services Section, Land Use Research Foundation, Condominium Council of Maui, Hawaii Association of Realtors/Institute of Real Estate Management Hawaii Chapter/ Oahu Arm Committee, others.

CMEF Budget &
Finance Report:

No report presented.

Open Forum:

No discussion presented.

Next Meeting:

Upon a motion by Commissioner Ohama, seconded by Commissioner Okawa, it was voted on and unanimously carried to recommend to reschedule the December 14, 2000 committee meetings as follows:

Laws and Rules Review Committee	9:00 a.m.
Education Review Committee	9:30 a.m.
Condominium Review Committee	10:00 a.m.

Thursday, December 14, 2000; 10:00 a.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Bldg.
1010 Richards Street, Second Floor
Honolulu, Hawaii 96813

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Adjournment: With no further business to discuss, Chair Imanaka adjourned the meeting at
11:20 a.m.

Respectfully submitted:

Cynthia M. L. Yee
Senior Condominium Specialist

Date

☐ Minutes approved as is.

☐ Minutes approved with changes; see minutes of _____
CY/tn/